

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 4:24-cv-153
)	
CHARLES A. DOMBEK and THE OPTIMAL)	
FINANCIAL GROUP, LLC,)	
)	
Defendants.)	

**CERTIFICATE OF CONFERENCE ON UNITED STATES' MOTION TO COMPEL
CHARLES DOMBEK TO RESPOND TO THE UNITED STATES'
FIRST SET OF DOCUMENT REQUESTS**

Undersigned counsel hereby certifies that he conferred with counsel for Charles Dombek on the United States' Motion to Compel Charles Dombek to Respond to the United States' First Set of Document Requests, and that the motion is opposed. Undersigned counsel first sent a letter to Charles Dombek on August 16, 2024 identifying the issues with his responses to the government's document request and attempting to obtain documents from Dombek. Dombek responded with a letter dated August 30, 2024, but that did not resolve the dispute.

All of the counsel who have appeared for the United States and for Dombek held a telephone/web-based conference on September 17, 2024, and Dombek's counsel stated that he opposes this motion, and further stated that Dombek would be providing some documents in response to the United States' First Set of Request for Production of Documents to Charles Dombek hopefully that same week, although counsel could not provide a definite date.

On September 20, 2024, Dombek served his First Amended Response to the United States' First Set of Requests for Production of Documents to Charles Dombek, but he did not

provide any responsive documents. The amended response did not resolve the disputes between the parties.

On September 26, 2024, undersigned counsel again communicated with counsel for Dombek regarding this motion by teleconference, and Dombek's counsel Matthew Lindenbaum confirmed that Dombek opposes this motion.

Because of concurrent settlement discussions, the United States subsequently waited to file this motion in an effort to avoid further litigation.

Dated: October 16, 2024

Respectfully submitted,

LEIGHA SIMONTON
United States Attorney

DAVID A. HUBBERT
Deputy Assistant Attorney General

s/ Daniel A. Applegate
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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2024, I electronically filed the foregoing document using the CM/ECF system, which will send notification to all registered users.

s/ Daniel A. Applegate
DANIEL A. APPLEGATE
Trial Attorney, Tax Division